



AF / 3624  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Brian Siegel  
Filed : 8/29/2000  
Serial No. : 09/650,034  
Confirmation No. : 8387  
Group Art Unit : 3624  
Examiner : Bashore  
Docket Number : SNY-P4055.01  
Title : Method to Electronically Track Personal Credit Information

Mail Stop Appeal Brief - Patents  
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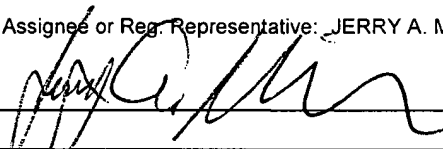
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Applicant, Assignee or Reg. Representative: JERRY A. MILLER Reg. No. 30,779	
Signature 	Date 6/24/2005

APPEAL BRIEF

This appeal brief is submitted in triplicate in response to the Office Action dated 12/21/2004. Reconsideration and allowance of all claims at issue are respectfully requested.

The fee for this brief is being paid by ☒ credit card payment form ☐ check ☐ deducted from deposit account number 501267. The Commissioner is authorized to deduct any underpayment or credit any overpayment to deposit account number 501257.

Serial No. 09/650,034

-1-

**REAL PARTY IN INTEREST**

The real parties in interest in this appeal are the assignee(s) of this application - Sony Corporation and Sony Electronics, Inc.

**RELATED APPEALS AND INTERFERENCES**

None known to the undersigned.

**STATUS OF CLAIMS**

Claims 1-15, 17-28, 30 and 39-44 are pending and currently stand rejected.

Claim 16, 29, 31-38 and 45-57 are currently withdrawn from consideration.

Claims 1-15, 17-28, 30 and 39-44 are being appealed.

**STATUS OF AMENDMENTS FILED SUBSEQUENT TO FINAL REJECTION**

One amendment was submitted subsequent to Final Rejection. Per the advisory action dated Feb. 23, 2005, the amendment will be entered for this appeal. The Amendment dated Feb. 2, 2005 inadvertently lists claims 16, 29, 21-38 and 45-53 as "cancelled" when in fact they were withdrawn from consideration as a result of the Restriction/Election requirement of May 3, 2004. The subsequent Office Action of Sept. 27, 2004 correctly acknowledges that the claims are withdrawn.

**SUMMARY OF CLAIMED SUBJECT MATTER**

The following summary is supplied in compliance with the requirements of the appeal rules. The undersigned wishes to note that this summary is provided merely as an aid to the Board in rapidly understanding the invention and the issues relating to this appeal. As such, this summary should not be construed to limit the invention in any way.

**Independent Claim 1** relates to a computer-implemented method of tracking online credit card usage by a user of a general purpose personal computing device (110 of Fig. 1, page 5, line 27 through page 6, line 5) operating as an Internet communication device (Fig. 1 generally, page 6, lines 6-19), comprising:

monitoring entries (220 of Fig. 2, page 7, lines 23-25) made on personal computing device using a computer program that operates as a background process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) running on the personal computing device while a foreground process is also carried out on the personal computing device (page 6, line 28 through page 7, line 15 as amended 8/5/2003);

wherein the foreground process comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page (page 6, line 28 through page 7, line 15 as amended 8/5/2003);

the computer program recognizing instances of the credit card transaction in the entries made on the personal computing device by recognition of a credit card number in the entries made into the web page (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003); and

upon recognizing an instance of a credit card transaction and receiving verification (240 of Fig. 2, page 7, line 25 through page 8, line 5) of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile (250 of Fig. 2, page 8, lines 3-22), and storing information describing the credit card transaction in a database (page 8, lines 12-22) accessible and controlled by the personal computing device (e.g., 270 of Fig. 2, page 9, lines 3-22 and page 12, line 19 through page 13, line 11).

**Dependent Claim 15** adds granting access to the database to a creditor (530 of Fig. 5, page 12, line 19 through page 13 line 11); permitting the creditor to charge a monetary value as a credit card transaction (Fig. 5, page 12, line 19 through page 13 line 11); and permitting the creditor to enter the credit card transaction into the database

(Fig. 5, page 12, line 19 through page 13 line 11).

**Independent Claim 17** relates to a computer system, comprising:

a processor having a central processing unit, an input device and memory (110, 120 and 130 of Fig. 1, page 5, line 27 through page 6, line 5);

a storage device coupled to the processor, that stores a database accessible and controlled by the processor (140 of Fig. 1, page 5, line 27 through page 6, line 5);

the processor being programmed to perform the programmed steps of tracking online credit card usage by a user of the computer system in a background process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) carried out by the processor while a foreground process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) is also carried out by the processor, wherein the foreground process comprises an Internet communication process (Fig. 1 generally, page 6, lines 6-19) in which an online credit card transaction is being carried out by entry of information into a web page, the programmed steps comprising the steps of:

monitoring entries (220 of Fig. 2, page 7, lines 23-25) made by a user using the input device (120);

recognizing instances of a credit card transaction (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003) in the entries made by the user by recognition of a credit card number in the entries made into the web page (240 of Fig. 2, page 7, line 25 through page 8, line 5); and

upon recognizing (240 of Fig. 2, page 7, line 25 through page 8, line 5) an instance of a credit card transaction and receiving verification (240 of Fig. 2, page 7, line 25 through page 8, line 5) of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile (250 of Fig. 2, page 8, lines 3-22), and storing information describing the credit card transaction in the database (page 8, lines 12-22).

**Independent Claim 30** relates to a computer-implemented method of tracking online credit card usage by a user of a personal computing device (110 of Fig. 1, page 5, line 27 through page 6, line 5) operating as an Internet communication device (Fig. 1 generally, page 6, lines 6-19, comprising:

monitoring entries (220 of Fig. 2, page 7, lines 23-25) made on the personal computing device in a computer program carrying out a background process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) while a foreground process is also carried out on the personal computer device, wherein the foreground process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page;

the computer program recognizing instances (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003) of a credit card transaction in the entries made on the personal computing device by matching an entry with a stored sixteen digit credit card number entered into the web page; and

upon recognizing (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003) an instance of a credit card transaction and receiving verification (240 of Fig. 2, page 7, line 25 through page 8, line 5) of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile (250 of Fig. 2, page 8, lines 3-22), and asking a user to confirm storage of information describing the credit card transaction;

if the user confirms storage of the information, storing information describing the credit card transaction in a database (page 8, lines 12-22) within the personal computing device and accessible and controlled by the personal computing device (e.g., 270 of Fig. 2, page 9, lines 3-22 and page 12, line 19 through page 13, line 11), the information describing the credit card transaction comprising a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was

carried out, a description of the purchase, and a user identifier (e.g., page 7, line 9-15, page 8, lines 14-22);

retrieving the information describing the credit card transaction from the database via the personal computing device (e.g., 280 of Fig. 2, page 8, line 28 through page 9, line 2);

carrying out a database function on the database, the database function comprising totaling a monetary value of a plurality of transactions (page 8, line 23 through page 9, line 2); and

wherein the personal computing device comprises one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance (page 13, lines 12-29).

**Independent Claim 39** relates to a storage medium storing a set of computer instructions which, when executed on a personal computing device (110 of Fig. 1, page 5, line 27 through page 6, line 5), carry out a background process (page 6, line 28 through page 7, line 15 as amended 8/5/2003) while a foreground process is also carried out on the personal computing device, wherein the foreground process comprises an Internet communication process (Fig. 1 generally, page 6, lines 6-19 in which an online credit card transaction is being carried out by entry of information into a web page comprising:

monitoring entries (220 of Fig. 2, page 7, lines 23-25) made by a user using an input device;

recognizing instances of a credit card transaction in the entries made by the user by recognizing a credit card number in the entries made into the web page (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003); and

upon recognizing (230 of Fig. 2, page 6, line 28 through page 7, line 15 as amended 8/5/2003) an instance of a credit card transaction and receiving verification of the instance of the credit card transaction (240 of Fig. 2, page 7, line 25 through page 8,

line 5), the background process automatically populating the web page with data stored in a user profile (250 of Fig. 2, page 8, lines 3-22), and storing information describing the credit card transaction in a database (page 8, lines 12-22) accessible and controlled by the personal computing device (e.g., 270 of Fig. 2, page 9, lines 3-22 and page 12, line 19 through page 13, line 11).

**Dependent Claim 44** further defines the background process to comprise permitting access to the database by a creditor so that the creditor can initiate credit card transactions (Fig. 5, page 12, line 19 through page 13 line 11).

#### **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

All claim are rejected based upon 35 U.S.C.103(a) as being unpatentable over Wong et al. (U.S. Pat. No. 6,119,933) in view of Boesch et al. (U.S. Pat. No. 6,092,053).

The Wong et al. reference is apparently asserted by the Office Action to disclose every feature of all claims under appeal, with the exception that the Wong et al. reference does not show use of a personal computing device to conduct on-line purchases. The Boesch et al. reference is used to supply this missing teaching.

The Advisory Action dated Feb. 23, 2005 seems to indicate that the Examiner is interpreting the term "detection" to inherently include "verification" and states that the claims do not require separate verification.

The Advisory Action dated May 11, 2005 indicates that the prior art discloses "authorization" which inherently includes "verification". There is no indication as to whether or not the Examiner agrees that the claims call for separate verification.

#### **GROUPING OF CLAIMS**

The claims are grouped for purposes of this appeal as follows: Group A – claims 1-14, 17-28 and 39-43; Group B – claim 30; Group C – claims 15 and 44.



## **ARGUMENTS**

MPEP 2142 states *"The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness. ... To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations."* (Emphasis added) Accordingly, the Examiner bears the initial burden of establishing *prima facie* obviousness by showing that each and every claim feature is fully and properly considered for all its claims and is present in the cited art. (See also MPEP 2143.03) In this case, certain claim features have been ignored or clearly misinterpreted.

The Examiner uses one discussion in section 5 of the Final Office Action of Dec. 21, 2004 to reject all claims. Appellant will deal with the Examiner's position on the basis of each group above.

### **Regarding Group A (claims 1-14, 17-28 and 39-43)**

Claim 1 is representative of this group and the extracted text from claims given below is from claim 1 to simplify the issues. Claims 17 and 39 contain similar or identical language.

1) The Final Office Action asserts that Wong, et al. disclose "monitoring entries made in a point-of-sale device using a computer program that operates as a background process while a foreground process is also carried out (abstract; col. 1, lines 22-30, col. 2, lines 10-15)". Appellant has reviewed the cited passages and the reference in general and finds no such teaching or suggestion. There is no teaching or suggestion of operation as a background process while a foreground process is carried

out. Accordingly, the Examiner has failed to establish *prima facie* obviousness by failure to fully and properly consider each claim feature.

2) The Final Office Action asserts that Wong, et al. disclose “recognizing a credit card number in entries made”. Wong et al.’s point-of-sale device does not recognize a credit card number in entries; it reads the magnetic stripe of credit cards (col. 1, lines 22-30 as cited by the Examiner) or requires entry of an account number, etc. as a foreground process (apparently – and likely the only process at that time). Appellant’s claims call for “*monitoring entries made on personal computing device using a computer program that operates as a background process running on the personal computing device while a foreground process is also carried out on the personal computing device*” and “*the computer program recognizing instances of the credit card transaction in the entries made on the personal computing device by recognition of a credit card number in the entries made*”. This claim language clearly distinguishes over simply entering customer ID information per Wong et al.. Accordingly, the Examiner has failed to establish *prima facie* obviousness by failure to properly consider this claim feature.

3) The Office Action makes no mention of the verification required by these claims except at paragraph 6 in response to Appellant’s arguments (and briefly in the subsequent Advisory Actions). The Final Office Action states that “the presence of transactions as shown in the prior art inherently includes the verification of the existence of a transaction per se.” While this may in fact be the case in the cited references, it is NOT the case with Appellant’s invention as claimed. Consider the following:

Detection of a transaction in Appellant’s invention as claimed does not inherently include verification of the existence of a transaction. In Appellant’s invention as claimed, detection of what appears to be a transaction, may in fact not be a transaction, and thus a verification process is used to assure that an instance of a transaction has in fact been detected. This is a clear distinction from a point-of-sale type device such as that of Wong et al. which may have no need for a separate verification. (For example, in Wong et al.’s POS device, simply swiping a credit card

is most certainly for the purposes of conducting a transaction. Thus, in Wong et al., where a credit card reader serves no purpose other than registering a transaction, the Examiner's conclusion might be reasonable – but not in Appellant's case.)

Claim 1 calls for “*recognizing instances of the credit card transaction in the entries made on the personal computing device by recognition of a credit card number in the entries*”. Since there might be any number of reasons that a person might enter a credit card number in a foreground operation at a personal computer (for example, checking an account balance, or making a list of credit card numbers, or writing a letter to a credit card company, etc.) other than making a transaction, there is no certainty that a transaction is being carried out. Thus, Appellant's claims call for a separate verification process to be carried out that confirms the instance of a credit card transaction (in order to distinguish a transaction from any other entry of a number that is or appears to be a credit card number). (Also bear in mind that the recognizing is taking place in a background process.) In claim 1 for example, this is called out as “*recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction*”(emphasis added). No such feature is taught or suggested in the cited art.

If “the presence of transactions as shown in the prior art inherently includes verification of the transaction per se” in the prior art as asserted by the Office Action, this is in fact strong evidence that there is in fact no suggestion to modify the cited references to provide verification. (See MPEP 2143.01) This assertion begs the question “why is it obvious to modify the references to add a verification function that is already inherent?” The only reasonable answer is that it is not inherent in Appellant's invention as claimed and not obvious. In order to establish *prima facie* obviousness, MPEP 2143.01 states in part that “*the test for obviousness is what the combined teachings of the references would have suggested to one of ordinary skill in the art.*” If a transaction itself in the combined references inherently verifies the existence of a transaction, clearly there is no suggestion to add a separate verification operation.

It is further noted that the plain meaning of word “verify” requires more than

"inherent existence" as proposed by the Examiner. For example, Webster's New Universal Unabridged Dictionary, deluxe second edition, defines "verify" (in relevant parts) as "to prove to be true...to confirm...to test or check the accuracy or correctness of ..." (emphasis added). Clearly the plain language meaning of the claim language requires more than "inherent existence" as proposed by the Examiner – it requires a verification operation, which the Office Action appears to disregard as a meaningful claim limitation. Appellant finds nothing that would suggest such "inherent existence" as a viable definition for the word "verify" in the art, Appellant's specification or in the dictionary.

Accordingly, the Examiner's definition is not viable and is apparently based upon an improper hindsight construction designed to support a rejection. The only stated reason for not being persuaded by the prior arguments simply cannot be considered viable. Thus, the Office Action again fails to establish *prima facie* obviousness.

4) The Advisory Action of Feb. 23, 2005 suggests that the claims do not call for separate verification. However, Appellant notes that claim 1 specifically calls for "*recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction*". Although the word "separately" was not used, it is believed clear that full consideration of all claim features requires both recognizing and verification. The Examiner did not clarify his position on this in the Advisory Action of May 11, 2005.

5) The claims further call for "*storing information describing the credit card transaction in a database accessible and controlled by the personal computing device*". This language taken in context is intended to convey that the personal computing device, and thus the user controlling it, is in control of sensitive financial information. In Wong et al. and Boesch et al., such data are stored centrally and controlled by product and service providers and entities tracking loyalty points whose interests may not align with those of the consumer. In certain dependent claims (e.g., 15 and 44), this is further significant in granting access to the database to others. In accordance with these claims, such access can be controlled and

monitored by the user, rather than by outsiders. Wong et al.'s system clearly suggests nothing about a database controlled by the local computer under user control.

6) The Examiner asserts that "*Boesch et al. teach the use of personal computing device to conduct on-line purchasing .... It would have been obvious to one of ordinary skill in the art to include personal computing device such as a computer as a point-of-sale device.*" Appellant submits that the claims do not call for a personal computing device to be used as a point-of-sale device.

7) Boesch et al. specifically teach away from Appellant's invention as claimed by discouraging systems which call for software to be installed on the user's personal computer (see col. 1, lines 14-49, and col. 2, lines 30-32 for example) in favor of a central server (Wong et al. similarly use a central server). According to the Examiner "Boesch et al. teach that a database is stored in a remote location" which is correct and in conflict with the concept that the personal computing device used by the user is in control of the database as in Appellant's claims\*. See MPEP 2143.02 which states "*A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)*". Thus, *prima facie* obviousness has not been established for failure to properly consider the art teaching away from Appellant's claimed invention.

8) In view of the above, it is believed clear that all claim features have not been fully and properly considered in rejection of Appellant's application. Reconsideration and full reversal by The Board is respectfully requested.

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\* The claims were amended in consultation with a prior Examiner. The prior Examiner did not document and now apparently does not remember details of an interview and subsequent telephone conversations. See par. 2 and 3, page 11 of amendment dated March 16, 2004 which timely documented the events surrounding an interview in the amendment.

**Regarding Group B (claim 30)**

1) See item 1) of Group A arguments above.

2) See item 2) of Group A arguments above.

3) See item 3) of Group A arguments above.

4) See item 4) of Group A arguments above.

5) See item 5) of Group A arguments above.

6) See item 6) of Group A arguments above. In addition to the above, claim 30 calls for the computing device to be one of a personal computer, personal digital assistant, television set top box, wireless telephone or Internet Appliance. Wong et al. only disclose point-of-sale terminals. Boesch et al. is believed to only teach use of a personal computer.

7) See item 7) of group A arguments above.

8) This claim further requires *“retrieving the information describing the credit card transaction from the database via the personal computing device; carrying out a database function on the database, the database function comprising totaling a monetary value of a plurality of transactions”*. The Final Office Action asserts that this is disclosed in col. 1, lines 63-67. Appellant disagrees since this passage describes analytical tools used by sellers, not by the user, and the data used to carry out such analysis in Wong et al. are obtained from a centralized database, not one under control of the personal computing device. Thus, the art does not fairly teach or suggest the claim feature.

9) This claim further requires *“if the user confirms storage of the information, storing information describing the credit card transaction in a database within the personal computing device and accessible and controlled by the personal computing device”*. This feature gives control of what transactions are stored on the database. No such feature is taught or suggested by the cited art. In fact, the art suggests that software on the user computer is to be avoided (Boesch et al., col 1, lines 14-49, col. 2, lines 30-32).

10) In view of the above, it is believed clear that all claim features have not been fully and properly considered in rejection of Appellant's application. Reconsideration and full reversal by The Board is respectfully requested.

**Regarding Group C (Claims 15 and 44)**

- 1) See item 1) of Group A arguments above.
- 2) See item 2) of Group A arguments above.
- 3) See item 3) of Group A arguments above.
- 4) See item 4) of Group A arguments above.
- 5) See item 5) of Group A arguments above.
- 6) See item 7) of group A arguments above.

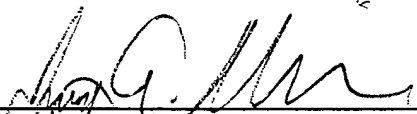
7) Claim 15 calls for "*granting access to the database to a creditor; permitting the creditor to charge a monetary value as a credit card transaction; and permitting the creditor to enter the credit card transaction into the database*". Claim 44 calls for "*permitting access to the database by a creditor so that the creditor can initiate credit card transactions*". In both instances, the user is in control of access to the database. This is clearly neither taught nor suggested by the cited art since both references use databases that are not under user control.

8) In view of the above, it is believed clear that all claim features have not been fully and properly considered in rejection of Appellant's application. Reconsideration and full reversal by The Board is respectfully requested.

### Concluding Remarks

In view of the above, it is believed clear that all claim features have not been properly considered. It is further submitted that the art teaches away from Appellant's claimed invention. The Board is respectfully requested to reverse the rejection of all claims.

Respectfully submitted,

  
\_\_\_\_\_  
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Registration No. 30,779

Dated: 6/24/2005

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## **CLAIMS APPENDIX**

1. (PREVIOUSLY PRESENTED) A computer-implemented method of tracking online credit card usage by a user of a general purpose personal computing device operating as an Internet communication device, comprising:

monitoring entries made on personal computing device using a computer program that operates as a background process running on the personal computing device while a foreground process is also carried out on the personal computing device;

wherein the foreground process comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page;

the computer program recognizing instances of the credit card transaction in the entries made on the personal computing device by recognition of a credit card number in the entries made into the web page; and

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in a database accessible and controlled by the personal computing device.

2. (PREVIOUSLY PRESENTED) The method of claim 1, further comprising retrieving the information describing the credit card transaction from the database via the personal computing device.

3. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the recognizing comprises matching an entry with a stored sixteen digit credit card number.

4. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the personal computing device comprises one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance.

5. (ORIGINAL) The method of claim 1, wherein the information describing the credit card transaction comprises a monetary amount spent.

6. (ORIGINAL) The method of claim 1, wherein the information describing the credit card transaction comprises a date and time of the transaction.
7. (ORIGINAL) The method of claim 1, wherein the information describing the credit card transaction comprises a merchant name with which the transaction was carried out.
8. (ORIGINAL) The method of claim 1, wherein the information describing the credit card transaction comprises a user identifier.
9. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the information describing the credit card transaction comprises a monetary amount spent, a date and time of the transaction, and a merchant name with which the transaction was carried out.
10. (ORIGINAL) The method of claim 1, further comprising carrying out a database function on the database.
11. (ORIGINAL) The method of claim 10, wherein the database function comprises totaling a monetary value of a plurality of transactions.
12. (PREVIOUSLY PRESENTED) The method of claim 1, further comprising:  
upon recognizing an instance of a credit card transaction, asking a user to verify the information describing the credit card transaction and confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database.
13. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the database is stored within the personal computing device.
14. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the database is stored in a location remote to the personal computing device.
15. (PREVIOUSLY PRESENTED) The method of claim 1, further comprising granting access to the database to a creditor; permitting the creditor to charge a monetary value as a credit card transaction; and permitting the creditor to enter the credit card transaction into the database.
16. (WITHDRAWN)

17. (PREVIOUSLY PRESENTED) A computer system, comprising:
- a processor having a central processing unit, an input device and memory;
  - a storage device coupled to the processor, that stores a database accessible and controlled by the processor;
  - the processor being programmed to perform the programmed steps of tracking online credit card usage by a user of the computer system in a background process carried out by the processor while a foreground process is also carried out by the processor, wherein the foreground process comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page, the programmed steps comprising the steps of:
    - monitoring entries made by a user using the input device;
    - recognizing instances of a credit card transaction in the entries made by the user by recognition of a credit card number in the entries made into the web page; and
    - upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in the database.
18. (ORIGINAL) The computer system of claim 17, further comprising a display for displaying the database upon receipt of a user command.
19. (PREVIOUSLY PRESENTED) The computer system of claim 17, wherein the recognizing comprises matching an entry with a stored sixteen digit credit card number.
20. (ORIGINAL) The computer system of claim 17, wherein the computer system is embodied in one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance.
21. (ORIGINAL) The computer system of claim 17, wherein the information describing the credit card transaction comprises at least one of: a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier.

22. (ORIGINAL) The computer system of claim 17, further comprising means for carrying out a database function on the database.

23. (ORIGINAL) The computer system of claim 22, wherein the database function comprises totaling a monetary value of a plurality of transactions.

24. (PREVIOUSLY PRESENTED) The computer system of claim 17, wherein the processor is further programmed to carry out the step of, upon the background process recognizing an instance of a credit card transaction, asking a user to confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database.

25. (ORIGINAL) The computer system of claim 17, wherein the storage device is situated within the computer system.

26. (ORIGINAL) The computer system of claim 17, wherein the storage device is situated in a location remote to the computer system.

27. (ORIGINAL) The computer system of claim 17, wherein the storage device is connected to a network file server.

28. (ORIGINAL) The computer system of claim 27, further comprising program means for permitting access to the database by a creditor so that the creditor can initiate credit card transactions.

29. (WITHDRAWN)

30. (PREVIOUSLY PRESENTED) A computer-implemented method of tracking online credit card usage by a user of a personal computing device operating as an Internet communication device, comprising:

monitoring entries made on the personal computing device in a computer program carrying out a background process while a foreground process is also carried out on the personal computer device, wherein the foreground process comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page;

the computer program recognizing instances of a credit card transaction in the entries made on the personal computing device by matching an entry with a stored sixteen digit credit card number entered into the web page; and

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process

automatically populating the web page with data stored in a user profile, and asking a user to confirm storage of information describing the credit card transaction;

if the user confirms storage of the information, storing information describing the credit card transaction in a database within the personal computing device and accessible and controlled by the personal computing device, the information describing the credit card transaction comprising a monetary amount spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier;

retrieving the information describing the credit card transaction from the database via the personal computing device;

carrying out a database function on the database, the database function comprising totaling a monetary value of a plurality of transactions; and

wherein the personal computing device comprises one of a personal computer, a personal digital assistant, a television set top box, a wireless telephone and an Internet appliance.

31. – 38. (WITHDRAWN)

39. (PREVIOUSLY PRESENTED) A storage medium storing a set of computer instructions which, when executed on a personal computing device, carry out a background process while a foreground process is also carried out on the personal computing device, wherein the foreground process comprises an Internet communication process in which an online credit card transaction is being carried out by entry of information into a web page comprising:

monitoring entries made by a user using an input device;

recognizing instances of a credit card transaction in the entries made by the user by recognizing a credit card number in the entries made into the web page; and

upon recognizing an instance of a credit card transaction and receiving verification of the instance of the credit card transaction, the background process automatically populating the web page with data stored in a user profile, and storing information describing the credit card transaction in a database accessible and controlled by the personal computing device.

40. (ORIGINAL) The storage medium of claim 39, wherein the information describing the credit card transaction comprises at least one of: a monetary amount

spent, a date and time of the transaction, a merchant name with which the transaction was carried out, a description of the purchase, and a user identifier.

41. (PREVIOUSLY PRESENTED) The storage medium of claim 39, the background process further comprises carrying out a database function on the database.

42. (ORIGINAL) The storage medium of claim 41, wherein the database function comprises totaling a monetary value of a plurality of transactions.

43. (PREVIOUSLY PRESENTED) The storage medium of claim 41, wherein the background process further comprises, upon recognizing an instance of a credit card transaction, asking a user to confirm storage of information describing the credit card transaction prior to storing the information describing the credit card transaction in the database.

44. (PREVIOUSLY PRESENTED) The storage medium of claim 41, wherein the background process further comprises permitting access to the database by a creditor so that the creditor can initiate credit card transactions.

45. - 57 (WITHDRAWN)

## **EVIDENCE APPENDIX**

None

**RELATED PROCEEDINGS APPENDIX**

None